

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

BRIAN C. LEWIS (DCBN 476851)
Assistant United States Attorney
450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: brian.lewis@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JOHN BENNETT CULLUM,)
)
Defendant.)

No. CR 02-40190 CW
CR 04-40176 CW
CR 09-0835 CW

**~~PROPOSED~~ ORDER EXCLUDING
TIME FROM APRIL 5, 2010 TO MAY 3,
2010**

The parties appeared before the Honorable Donna M. Ryu on April 5, 2010 for a status hearing. With the agreement of counsel for both parties and the defendant, the Court now finds as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from April 5, 2010 to May 3, 2010. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for counsel to investigate certain defenses and potential mitigating circumstances.

//

//

ORDER EXCLUDING TIME
CR 09-835 CW

2. Given these circumstances, the Court finds that the ends of justice served by excluding the period from April 5, 2010 to May 3, 2010, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3. Accordingly, and with the consent of the defendant, the Court orders that the period from April 5, 2010 to May 3, 2010, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: April 5, 2010

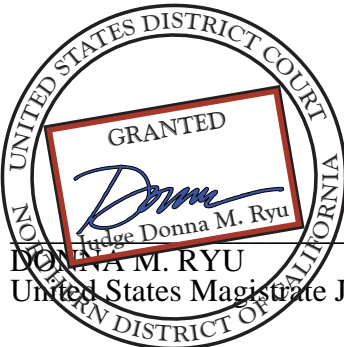
/s/
JOHN PAUL REICHMUTH
Counsel for John Bennett Cullum

DATED: April 5, 2010

/s/
BRIAN C. LEWIS
Assistant United States Attorney

IT IS SO ORDERED.

DATED: April 6, 2010


DONNA M. RYU
United States Magistrate Judge